



January 28, 2011

Terry Macaulay
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

Submitted via email to deltaplanscoping@deltacouncil.ca.gov

RE: Comments: Delta Plan/Delta Plan Environmental Impact Report (EIR)

To Whom It May Concern:

On behalf of the California Waterfowl Association (CWA), I am pleased to provide comments concerning the Delta Plan/Delta Plan EIR (hereafter, "Delta Plan EIR"). CWA is a charitable 501 (c)(3) organization dedicated to conserving California's waterfowl, wetlands, and outdoor heritage. We represent the interests of over 20,000 members statewide, and our waterfowl and wetlands programs are implemented throughout the state.

The Sacramento-San Joaquin Delta Reform Act of 2009 (SBX7 1) sets ambitious goals, including restoration of the Delta ecosystem. While developing plans to consider all components of the ecosystem, I would like to remind the developers of the Delta Plan EIR that the statute dictates that habitat for migratory birds must be considered in the planning process:

§85302.

(e) The following subgoals and strategies for restoring a healthy ecosystem shall be included in the Delta Plan

(6) Restore habitat necessary to avoid a net loss of migratory bird habitat and, where feasible, increase migratory bird habitat to promote viable populations of migratory birds.

Unfortunately, early indications are that migratory bird habitat has not been a high priority for Delta planners. To date, ecosystem restoration priorities for Delta planning efforts emphasize stabilizing and improving fish populations. We agree that restoring fisheries, especially economically important species such as salmon, is a worthwhile goal that we support. However, some initial plans to restore fish may actually come at the expense of migratory bird habitat, which is misguided and is contradictory to the stated goal of restoring Delta ecosystem health. Examples of this trend have surfaced in the initial Suisun Marsh and the Yolo Bypass planning processes.

In the Suisun Marsh, the most recent Draft EIR/EIS includes converting up to 7000 acres of managed wetlands to tidal wetlands, which are used by key fish at certain stages of their lifecycle. This represents over 10% of the managed wetland habitat in the Suisun Marsh, and losing it will reduce the amount of food available to waterfowl that winter there. Wetlands which have been converted to tidal action cannot be actively managed for preferred plants and provide far less food for granivores such as waterfowl. California Waterfowl submitted comments on the Draft Suisun Plan EIR/EIS plan, suggesting that habitat projects for fish not be at the expense of managed wetlands protected for migratory birds.

The Yolo Bypass has also been emphasized for conversion to fish habitat, jeopardizing the wetland restoration efforts of arguably one of the most successful wetland restoration projects in the state (Yolo Wildlife Area). We understand that fish need flood plains, shallow water habitats that were lost when rivers were channelized and Delta islands were isolated behind levees. During years when the Yolo bypass floods, it provides a surrogate for lost flood plain habitat that benefits young fish. The suggestion by Delta planners to lower the Fremont Weir to allow Sacramento River water to flood the bypass more frequently would be detrimental to many migratory birds. Flooding depths required for fish are too deep to benefit even large dabbling ducks like mallards and pintail. This would make food produced in managed wetlands of the Yolo Wildlife Area, private duck clubs, as well as thousands of acres of rice, unavailable to feeding waterfowl and other birds. The Bypass would also be flooded well into the spring under this strategy, interfering with wetland management activities and making rice farming difficult or impossible. This proposal compromises the waterfowl habitat values of the Bypass, and wastes millions of dollars in public and private funding already invested to restore its wetlands.

I bring these examples to your attention because they result in a "net loss" of migratory bird habitat. I suggest planners use the Central Valley Joint Venture (CVJV) Implementation Plan (2006) for guidance on migratory bird habitat needs, and work with the staff and partners of the CVJV to insure proposed Delta restoration activities are consistent with the existing goals for bird species in the region.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory S. Yarris', with a stylized, cursive script.

Gregory S. Yarris
Vice President of Policy and Communications